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EXAMINER	
SIMONETTI, NICHOLAS J	
ART UNIT	PAPER NUMBER
2187	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/561,360	SEE ET AL.	
	Examiner	Art Unit	
	NICHOLAS SIMONETTI	2187	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 May 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6 and 8-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6 and 8-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/7/2010 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 5-6, 8-10 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garney (US Patent 5412798) in view of Yamauchi et al. (US Patent 5661823).

With regard to claim 1, Garney teaches a method for indicating the current status of a removable media device loaded with at least one removable medium associated with a characteristic feature (Column 6 Line 56: "a method and circuitry for dynamically

configuring device drivers of removable system resources"), and being connected to a device for reading and/or writing AV storage media, comprising the steps of:

checking a type of user input upon occurrence of user input (Column 13 Line 57: "Card event service routine 1101 is activated when a hardware event is detected by the computer system upon the insertion or removal of a feature card in any socket provided by the computer system");

keeping the current status of the removable media device if the type of user input is not related to the removable media device (Column 14 Line 35: "if the hardware event causing the activation of card event service routine 1101, is neither a card insertion event nor a card removal event, processing path 1113 is taken to processing block 1117 where the unidentified event is recorded. Processing then terminates at bubble 1131");

else checking whether a characteristic feature of the at least one removable medium has changed, if the type of user input is related to the removable media device (See Figure 10: Card Insertion Processing. Column 14 Line 58: "Decision block 809 tests whether or not the device driver stub for the newly installed card still resides in the computer system RAM based on the device driver stub unique identification");

keeping the current status if the characteristic feature of the at least one removable medium has not changed (Column 14 Line 61: "If the stub still resides there, then the device driver stub executable code does not need to be loaded again"); and

updating the current status if the characteristic feature of the removable medium has changed (Column 14 Line 65: "If the stub is not still resident, processing path 812 is taken". See Figure 10: Path 812 leading to Bubble 'B' and see also Figure 11: Bubble

'B' leading to Block 919 "Set command 680 to initialize. Set a card Insertion flag in stub data to indicate that a card is inserted in to a socket and accessible to computer system").

With further regard to claim 1, Garney teaches the limitations of claim 1 as described above. Garney does not teach the user input as described in claim 1. Yamauchi teaches wherein the user input is not generated by the insertion or removal of the removable media device (Column 50 Line 36: "The editing machine 600 is designed to receive operations of the exclusive keyboard 602a and remote control operation part 602i, display the menu of functions on the display part 602h of the exclusive keyboard 602a, and select a desired function from this menu". Column 52 Line 3: "in FIG. 90, when the retrieval is selected (step S168) on the main menu, the CPU part 625 changes the screen of display 1 to V2, the menu level to '1' and the menu mode name to 'retrieval' so as to specify the retrieval destination in step S169, and all input sources connected to the editing machine 600 (memory cards 1, 2, HDD, DDD) are displayed"). Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have modified the method as disclosed by Garney with the type of user input as taught by Yamauchi such that it "reduces possible functions on the basis of the result of judgment, and initializes necessary devices" (Yamauchi Column 50 Line 52).

With regard to claim 2, Garney in view of Yamauchi teaches all the limitations of claim 1 as described above. Garney further teaches wherein the characteristic feature is an identifier of the at least one removable medium (Column 14 Line 58: "Decision block 809 tests whether or not the device driver stub for the newly installed card still resides in the computer system RAM based on the device driver stub unique identification". See also Figure 4: Device driver stub unique identification 407).

With regard to claim 3, Garney in view of Yamauchi teaches all the limitations of claim 1 as described above. Yamauchi further teaches wherein user input types related to the removable media device are one or more of input command to enter removable media device sub-menu (Column 50 Line 36: "The editing machine 600 is designed to receive operations of the exclusive keyboard 602a and remote control operation part 602i, display the menu of functions on the display part 602h of the exclusive keyboard 602a, and select a desired function from this menu". Column 50 Line 50: "the CPU part 625 judges the type and quantity of devices connected to the editing machine 600 in step S161, and reduces possible functions on the basis of the result of judgment, and initializes necessary devices. Meanwhile, the result of judgment of connected devices is ... used in selection of menu". Column 51 Line 29: "when the display function is selected on the main menu, the screen of display 1 becomes as shown in FIG. 88"), input command to navigate within a removable media device sub-menu (Column 51 Line 44: "in the menu level 1, the display output can be specified. This display output is available in four types, menu, standard, processing, and division"), input command to

access a removable medium (Column 51 Line 37: "when the memory card 1 is specified, for example, the screen of display 1 changes to level 2, menu mode name 'specification' as shown in FIG. 89"), and input command that generally is preceding an access to a removable medium (Column 52 Line 3: "in FIG. 90, when the retrieval is selected (step S168) on the main menu, the CPU part 625 changes the screen of display 1 to V2, the menu level to '1' and the menu mode name to 'retrieval' so as to specify the retrieval destination in step S169, and all input sources connected to the editing machine 600 (memory cards 1, 2, HDD, DDD) are displayed").

With regard to claim 5, Garney in view of Yamauchi teaches all the limitations of claim 1 as described above. Garney further teaches wherein identifiers of all removable media of a multicard reader type media device are checked (Column 13 Line 21: "If any feature cards are currently installed in any of the available sockets of the computer system, the identity or address of the installed cards is obtained in processing block 711". See Figure 7: Block 711).

With regard to claim 6, Garney in view of Yamauchi teaches all the limitations of claim 1 as described above. Garney further teaches wherein, for a multicard reader type media device the file structure of all inserted removable media is read and assembled to a single file structure (Column 21 Line 7: "memory area 1700 is depicted as it would appear after Card B, having device driver DD-B, was inserted into slot 2 of the computer system while card A remained inserted in Slot 1. There are two slots in the

computer system, therefore device driver stub memory has been allocated to be the size of the two largest feature card device driver stubs. Therefore, in this example, memory area 1700 has been allocated to be five memory units in size. In this way, memory area 1700 can contain DD-A and DD-B simultaneously". See Figure 17a-f).

With regard to claim 8, Garney teaches an apparatus for reading and/or writing AV storage media comprising:

a removable media device having at least one removable medium (Figure 2: Removable Media Device 201 having Removable Media 211 and 213), the removable medium having a characteristic feature (Column 9 Line 39: "Device driver stub unique identification 407 is a unique value that identifies the device driver stub and distinguishes the device driver stub from all other device driver stubs."), the removable media device associated with a current status (Column 12 Line 26: "Card insertion flag 672 is used to retain an indication of whether the card associated with the device driver stub is inserted or removed." Column 13 Line 23: "If any feature cards are currently installed in any of the available sockets of the computer system, the identity or address of the installed cards is obtained in processing block 711.");

a user input device that receives user input (Figure 1: Removable Feature Card Interface 108 and/or Input Device 104); and

a controller that detects a user input related to the removable media device upon the occurrence of the user input (Figure 1: Processor 101. Column 7 Line 9: "The

processing logic of the present invention is typically stored in a device such as random access memory 102 and executed therefrom by processor 101."),

checks for a change in the characteristic feature of the removable medium (See Figure 10: Card Insertion Processing. Column 14 Line 58: "Decision block 809 tests whether or not the device driver stub for the newly installed card still resides in the computer system RAM based on the device driver stub unique identification"), and

updates the current status when the characteristic feature of the removable medium is changed (Column 14 Line 65: "If the stub is not still resident, processing path 812 is taken". See Figure 10: Path 812 leading to Bubble 'B' and see also Figure 11: Bubble 'B' leading to Block 919 "Set command 680 to initialize. Set a card Insertion flag in stub data to indicate that a card is inserted in to a socket and accessible to computer system").

With further regard to claim 8, Garney teaches the limitations of claim 8 as described above. Garney does not teach the user input as described in claim 8. Yamauchi teaches wherein the user input is not generated by the insertion or removal of the removable media device (Column 50 Line 36: "The editing machine 600 is designed to receive operations of the exclusive keyboard 602a and remote control operation part 602i, display the menu of functions on the display part 602h of the exclusive keyboard 602a, and select a desired function from this menu". Column 52 Line 3: "in FIG. 90, when the retrieval is selected (step S168) on the main menu, the CPU part 625 changes the screen of display 1 to V2, the menu level to '1' and the menu mode name to

'retrieval' so as to specify the retrieval destination in step S169, and all input sources connected to the editing machine 600 (memory cards 1, 2, HDD, DDD) are displayed"). Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have modified the apparatus as disclosed by Garney with the type of user input as taught by Yamauchi such that it "reduces possible functions on the basis of the result of judgment, and initializes necessary devices" (Yamauchi Column 50 Line 52).

With regard to claim 9, Garney in view of Yamauchi teaches all the limitations of claim 8 as described above. Garney further teaches wherein the characteristic feature is an identifier of the removable medium (Column 9 Line 39: "Device driver stub unique identification 407 is a unique value that identifies the device driver stub and distinguishes the device driver stub from all other device driver stubs.").

With regard to claim 10, Garney in view of Yamauchi teaches all the limitations of claim 8 as described above. Yamauchi further teaches wherein the user input includes an input command to enter a removable media device's sub-menu (Column 50 Line 36: "The editing machine 600 is designed to receive operations of the exclusive keyboard 602a and remote control operation part 602i, display the menu of functions on the display part 602h of the exclusive keyboard 602a, and select a desired function from this menu". Column 50 Line 50: "the CPU part 625 judges the type and quantity of devices connected to the editing machine 600 in step S161, and reduces possible

functions on the basis of the result of judgment, and initializes necessary devices. Meanwhile, the result of judgment of connected devices is ... used in selection of menu". Column 51 Line 29: "when the display function is selected on the main menu, the screen of display 1 becomes as shown in FIG. 88"), an input command to navigate within a removable media device's sub-menu (Column 51 Line 44: "in the menu level 1, the display output can be specified. This display output is available in four types, menu, standard, processing, and division"), an input command to access a removable medium (Column 51 Line 37: "when the memory card 1 is specified, for example, the screen of display 1 changes to level 2, menu mode name 'specification' as shown in FIG. 89"), an input command that precedes access to a removable medium (Column 52 Line 3: "in FIG. 90, when the retrieval is selected (step S168) on the main menu, the CPU part 625 changes the screen of display 1 to V2, the menu level to '1' and the menu mode name to 'retrieval' so as to specify the retrieval destination in step S169, and all input sources connected to the editing machine 600 (memory cards 1, 2, HDD, DDD) are displayed").

With regard to claim 12, Garney in view of Yamauchi teaches all the limitations of claim 8 as described above. Garney further teaches wherein the removable media device is a muiticard removable media device (Figure 2: Removable Media Device 201 having Removable Media 211 and 213); and wherein the controller checks identifiers of all removable media of the multicard removable media device (Column 13 Line 23: "If any feature cards are currently installed in any of the available sockets of the computer

system, the identity or address of the installed cards is obtained in processing block 711.").

With regard to claim 13, Garney in view of Yamauchi teaches all the limitations of claim 8 as described above. Garney further teaches wherein the removable media device is a multicard removable media device (Figure 2: Removable Media Device 201 having Removable Media 211 and 213); and wherein the controller reads file structures of all inserted removable media and assembles then into a single file structure (Column 9 Line 6: "Device driver information block header 305, comprises information used for linking the device driver with computer system processing logic." Column 9 Line 16: "the device driver stub code image 307 is read from card memory area 303 and transferred into an area of computer system memory 102 set aside for device driver stubs. The device driver stub code is then executed by the processor of the computer system from computer system random access memory." Column 10 Line 2: "Knowing the location and size of the code and data areas for the device driver stub, operating system logic within the computer system can transfer the device driver stub code and data areas from the feature card into computer system random access memory.").

Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garney (US Patent 5412798) in view of Yamauchi et al. (US Patent 5661823), and further in view of Edmondson (US Patent 3619585).

With regard to claim 4, Garney in view of Yamauchi teaches all the limitations of claim 1 as described above. Garney in view of Yamauchi does not teach the repeated read attempts in response to an error as described in claim 4. Edmondson teaches wherein checking whether a characteristic feature of the at least one removable medium has changed is performed repeatedly in case an error status has been detected (Abstract: "If an error is detected while reading data from a particular location in a memory, that same location is automatically reread a given number of times. If an error does not occur during the reread cycles, the program continues and the succeeding memory locations are read in normal sequence"). Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have modified the method as disclosed by Garney in view of Yamauchi with the repeated read attempts in response to an error as taught by Edmondson since "manually reinterrogating the machine's ROM is uneconomical" and "it is more desirable to have the reinterrogation performed automatically" (Edmondson Column 1 Line 24).

With regard to claim 11, Garney in view of Yamauchi teaches all the limitations of claim 8 as described above. Garney in view of Yamauchi does not teach the repeated read attempts in response to an error as described in claim 11. Edmondson teaches wherein the controller checks whether a characteristic feature of the removable medium has been changed is repeated in case an error status has been detected (Abstract: "If an error is detected while reading data from a particular location in a memory, that same location is automatically reread a given number of times. If an error does not occur

during the reread cycles, the program continues and the succeeding memory locations are read in normal sequence"). Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have modified the apparatus as disclosed by Garney in view of Yamauchi with the repeated read attempts in response to an error as taught by Edmondson since "manually reinterrogating the machine's ROM is uneconomical" and "it is more desirable to have the reinterrogation performed automatically" (Edmondson Column 1 Line 24).

Response to Arguments

Applicant's arguments, see Page 6, filed 5/7/2010, with respect to the rejections under 35 U.S.C. 102 have been fully considered but they are not persuasive.

With respect to applicant's arguments that the features of Claims 1 and 8 are not taught by the cited prior art, Examiner respectfully disagrees and refers applicant to the rejection of the instant claims as discussed supra with respect to the same.

With respect to Applicant's argument that Garney does not teach, "*keeping the current status of the removable media device* if the type of user input is not related to the removable media device" (emphasis added), Examiner respectfully disagrees.

Applicant appears to base this argument on the portion of the instant specification at Page 2, Paragraph 3, which recites, "an input command that is generally preceding an access to a removable medium is preferably used in order to pro-actively update the status when the necessity to have such update is likely, even if it is not always required."

Further, Examiner would like to note that the method of Garney does not modify any data related to the management of the feature cards; therefore keeping the current status of a removable media device. The method as described by Garney simply checks whether a recent hardware event is a card insertion/removal event and records any events which are not insertion/removal events, as the specification describes that "if the hardware event causing the activation of card event service routine 1101, is neither a card insertion event nor a card removal event, processing path 1113 is taken to processing block 1117 where the unidentified event is recorded. Processing then terminates at bubble 1131" (Garney Column 14 Line 35), without modifying any status of the feature cards as discussed supra. Although Garney is performing additional processing in the form of storing unidentified events, it can be seen in no way as modifying the current status of feature cards. In fact, the instant invention must operate in a similar manner as Garney if unexpectedly detected anomalous events are to be handled properly, as shown in Applicant's Figure 9 which shows outputting an error message upon encountering issues involving the insertion of flash media in to a card reader.

Accordingly, Examiner has mapped the event detection method of Garney, as applied supra, to the originally disclosed card management method as claimed and shown in Figure 10 of the instant application.

The instant disclosure as originally filed does not appear to enable one of ordinary skill in the art at the time of the invention to make and/or use an invention that operates differently than the originally disclosed "method for indicating the current status

of a removable media device"; as disclosed in Figure 10 and the related text of the instant specification.

Accordingly, Examiner has reasonably interpreted "keeping the current status of the removable media device if the type of user input is not related to the removable media device" to be the event detection method which Garney discloses.

Applicant's further arguments with respect to Claims 1-6 and 8-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NICHOLAS SIMONETTI whose telephone number is (571)270-7702. The examiner can normally be reached on Monday-Thursday 7:30AM-5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Ellis can be reached on (571)272-4205. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. S./
Nicholas Simonetti
Examiner, Art Unit 2187
July 2, 2010

/Brian R. Peugh/
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July 7, 2010